AN ACT GRANTING LAZARO B. BELGICA A FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE RADIO BROADCASTING AND TELEVISION STATIONS IN THE PHILIPPINES.

REPUBLIC ACT NO. 4402, June 19, 1965

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Subject to the provisions of the Constitution, as well as of Act Numbered Thirty-eight hundred forty-six, entitled, "An Act providing for the regulation of radio stations and radio communications in the Philippine Islands, and for other purposes;" Commonwealth Act Numbered One hundred forty-six, known as the Public Service Act, and their amendments, and other applicable laws not inconsistent with this Act, Lazaro B. Belgica is hereby granted a franchise for a period of twenty-live years to construct, maintain and operate for commercial purposes and in the public interest, radio broadcasting and television stations in the Philippines: Provided, That this franchise shall be void unless the construction of at least one radio broadcasting or one television station be begun within two years from the date of approval of this Act, and be completed within four years from said date: Provided, further, That the grantee shall provide public service time to enable the Government, through the said radio broadcasting and television stations, to reach the population on important public issues; shall assist in the functions of public information and education; shall conï¿½form to the ethics of honest enterprise; and shall not use his stations for the broadcasting and/or telecasting of obscene or indecent language, act or scene, or for the dissemination of deliberately false information or willful misrepresentation, or to the detriment of the public health, or to incite, encourage, or assist in subversive or treasonable acts.

SEC. 2. In the event of any competing person, natural or juridical, receiving from the Congress a similar franchise in which there shall be any term or terms more favorable than those herein granted or tending to place the herein grantee at any disadvantage, then such term or terms shall ipso facto become a part of the terms hereof and shall operate equally in favor of the grantee as in the case of said competing person.

SEC. 3. A special right is hereby reserved to the President of the Philippines in time of war, rebellion, public peril or other national emergency and when public safety requires, to cause the closing of the grantee's radio station or stations or to authorize the use or possession thereof by any department of the government without compensation to the grantee for the use of said stations during the continuance, of the national emergency.

SEC. 4. The grantee shall file a bond in the amount of ten thousand pesos to guaranty the full compliance and fulfillment of the conditions under which this franchise is granted.

SEC. 5. The grantee shall not require any previous censorship of any speech, play, act or scene or other matter to be broadcast and/or telecast from his stations; but if any such play, speech, act or scene or other matter should constitute a violation of the law or infringement of a private right, the grantee shall be free from any liability, civil or criminal, for such speech, play, act or scene or other matter: Provided, That the grantee, during any broadcast and/or telecast, shall cut off from the air the speech, play, act or scene or other matter being broadcast and/or telecast, if the tendency thereof is to propose and/or incite treason, rebellion or sedition, or the language used

therein or the theme thereof is indecent or immoral, and willful failure to do so shall constitute a valid cause of the cancellation of this franchise.

SEC. 6. The grantee shall hold the national, provincial and municipal governments of the Philippines harmless from all claims, accounts, demands, or action arising out of accidents or injuries, whether to property or to persons, caused by the construction or operation of the stations of the grantee.

SEC. 7. The grantee shall not lease, transfer, grant the usufruct of, sell or assign this franchise nor the rights and privileges acquired thereunder to, any person, natural or juridical, nor merge with any other person without the previous approval of the Congress of the Philippines. Any person, natural or juridical, to which this franchise is sold, transferred or assigned, shall be subject to all the conditions, terms, restrictions and limitations of this franchise as fully and completely and to the same extent as if the franchise had been originally granted to such person.

SEC. 8. The franchise hereby granted shall be subject to amendment, alteration, or repeal by the Congress of the Philippines when the public interest so requires.

SEC. 9. The grantee shall be liable to pay the same taxes on his real estate, buildings and personal property exclusive of the franchise, as other persons, natural or juridical, are now or hereafter may be required by law to pay.

The grantee shall further be liable to pay all other taxes that may be imposed by the National Internal Revenue Code by reason of this franchise.

SEC. 10. This franchise shall not be interpreted as an exclusive grant of the privileges herein provided for.

SEC. 11. This Act shall take effect upon its approval.

Approved, June 19, 1965.

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